

To: Deschambault, Lynda[Deschambault.Lynda@epa.gov]
Cc: Brown, Anthony R (RM)[anthony.brown@bp.com]; Wirtschafter, Joshua[Wirtschafter.Joshua@epa.gov]; Greg Reller[gr@burlesonconsulting.com]; Cory Koger[Cory.S.Koger@usace.army.mil]; Cohen, Adam[Adam.Cohen@dgsllaw.com]; 'Sandy Reise'[sriese@ensci-inc.com]; Jefferson, Jill[Jill.Jefferson@amecfw.com]; Grant Ohland - (gohland@ohlandhydrogeo.com)[gohland@ohlandhydrogeo.com]
From: Lombardi, Marc
Sent: Mon 4/3/2017 3:25:54 PM
Subject: RE: Action Items Leviathan Monthly

Lynda,

Please see Atlantic Richfield's responses/comments to the March 2017 Leviathan Mine monthly progress call action items below in blue font.

If you have any questions or comments, please contact Tony Brown at (657) 529-4573 or anthony.brown@bp.com.

Thanks,

Marc

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From: Deschambault, Lynda [<mailto:Deschambault.Lynda@epa.gov>]

Sent: Wednesday, March 29, 2017 3:41 PM
To: Brown, Anthony R (RM)
Cc: Wirtschafter, Joshua; Greg Reller; Cory Koger
Subject: Action Items Leviathan Monthly

Two followup items from our March 21 Monthly discussion:

---ARC to confirm status of QAPP, HHRA work plan, and On Property FRI amendment 10. EPA believes these items are not action for EPA. But for ARC. Let's clarify

1) EPA records indicate that EPA provided "EPA acceptance of the HHRA Workplan: December 29, 2016 at 1:53 pm. Please confirm receipt.

EPA accepts the Human Health Risk Assessment workplan conditional on incorporation of comments as outlined here.

In the next 60 days, or by February 28, 2017 please provide a response to any remaining comments and provide the final revised Human Health Risk Assessment workplan. Please also fully consider and incorporate EPA comments on other documents, especially: Reference Area Workplan; RIFS TOC Format, Reporting and Schedule; and Draft Sections of the RIFS ("Technical data Summary Reports"). EPA provided those comments under separate cover. EPA directs ARC to ensure the risk assessments are sufficiently scheduled to ensure delivery of a first inclusive draft RI/FS by December 31, 2017 and a complete and final RI/FS by August 30, 2018.

If you have any questions, please feel free to contact me at (415) 947-4183 or Deschambault.lvnda@epa.gov.

Atlantic Richfield Comment/Response: The U.S. EPA's letter dated December 29, 2016 states that "EPA accepts the Human Health Risk Assessment workplan conditional on incorporation of comments outlined here." Atlantic Richfield provided line by line responses to EPA's comments and submitted the Final Baseline Human Health Risk Assessment Work Plan, Revision 2 on February 28, 2017. Atlantic Richfield would like EPA's acknowledgement that they received the response to comments and Final Baseline Human Health Risk Assessment Work Plan, Revision 2, that the responses are adequate, and that the document is approved by U.S. EPA without further condition.

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2) The QAPP, EPA records indicate that EPA provided ARC comments on Mon 11/21/2016

4:44 PM

EPA provides the attached General and Specific comments on these three submittals.

EPA conditionally approved the QAPP dated June 17, 2016; provided EPA comments are addressed. A few comments remain unaddressed as outlined herein. EPA's conditional approval remains in place. Within 60 days by January 21, 2017. EPA directs ARC to provide a line by line response to these comments and submit revised Final Updated Quality Assurance Project Plan (QAPP) and Data Management Plan that incorporates updated Database, revised DQOs and the Conceptual Site Model incorporating all changes.

If you have any questions, please feel free to contact me at (415) 947-4183 or Deschambault.lynda@epa.gov.

Atlantic Richfield Comment/Response: The U.S. EPA provided conditional approval of the Final RI/FS QAPP, Revision No. 1 along with written comments in a letter to Atlantic Richfield dated April 28, 2016. The Final RI/FS QAPP,

Revision No. 1 was submitted to the U.S. EPA on June 17, 2016, addressing the comments dated April 28, 2016. Atlantic Richfield received additional comments to the QAPP from U.S. EPA on November 21, 2016. Atlantic Richfield provided line by line responses to EPA's comments along with the Final RI/FS QAPP, Revision No. 2 on January 27, 2017. Atlantic Richfield would like EPA's acknowledgement that they received the response to comments and Final RI/FS QAPP, Revision No. 2, that the responses are adequate, and that the document is approved by U.S. EPA without further condition.

3) EPA records indicate that Amendment 10 Rev 3 approval was provided on May 18, 2016
Wed 5/18/2016 9:29 AM

EPA approves the Amendment 10 Rev3 dated September 30, 2016 workplan. ARC needs to provide an updated schedule and any final workplan modifications for the 2016 field season based on the preliminary evaluation of stream sediment and floodplain soil sampling results for samples collected (September-October 2015) in the beaver dam/pond complex, dated April 15, 2016. EPA is reviewing that submission and will provide comments under separate cover.

Atlantic Richfield Comment/Response: Atlantic Richfield acknowledges U.S. EPA approval of the Amendment 10 Rev 3 Work Plan dated September 30, 2016 and notes that this is not the document in question on the tracking spreadsheet. The document in question is Atlantic Richfield's September 9, 2016 letter providing responses to comments that the U.S. EPA provided on July 11, 2016 which provided partial approval of the Preliminary Evaluation of Stream Sediment and Floodplain Soil Sampling Results for Beaver Dam / Pond Complex Sampling in the On-Property Reach of Leviathan Creek, Leviathan Mine Site, Alpine County, California, dated April 15, 2016. Atlantic Richfield's records do not indicate receipt of U.S. EPA response to our September 9, 2016 letter; however, a response to this letter at this time is largely a moot point as the focus of the responses provided in our letter were largely surrounding our reporting schedule. Atlantic Richfield most recently discussed schedule items with U.S. EPA during the January 17, 2017 management meeting in San Francisco, and provided written follow up in our March 3, 2017 letter of which we understand that EPA is currently reviewing.

--ARC to confirm delivery requirements of the year end for NHPA. The protocol is attached. Let's discuss and please confirm your anticipated delivery date.

Atlantic Richfield Comment/Response: Atlantic Richfield has reviewed the Leviathan 106 NHPA Protocol dated April 20, 2016 and the requirements of our ARPA Permit with the USFS and neither specifies a submittal date for annual reporting. Regardless, Atlantic Richfield has been working on preparation of a Cultural Resources Report for the cultural resource monitoring activities conducted in 2016 and anticipate submittal of the report to the USFS with cc to U.S. EPA by May 30, 2017 as indicated in our document tracking spreadsheet.

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